

STEVEN B. HOROWITZ, ESQ.
HOROWITZ LAW GROUP, LLC
49 ROUTE 202
PO BOX 13
FAR HILLS, NEW JERSEY 07931
(973) 789-8300
(973) 789-8345 (Facsimile)
Attorneys for Plaintiff

TYRELL BOYD,

Plaintiff,

v.

LIBERTY ASHES, INC..

Defendants

X

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF
NEW YORK

Case No: 23-CV-0641 (NRM)(RER)

RULE 68 OFFER OF JUDGMENT

X

TO: Abdul K. Hassani, Esq.
215-28 Hillside Ave.
Queens Village, New York 11427

Pursuant to Federal Rules of Civil Procedure, Rule 68, Defendant Liberty Ashes, Inc. (Defendant) offers to allow judgment to be entered against it in this action in accordance with the following:

1. Plaintiff in this action asserts claims for violation of the Federal Fair Labor Standards Act, 29 USC Sections 201 et seq. (FLSA), and New York State Labor Laws (NYLL) Sections 190,191, 193, 195, 198 and 650 et seq., as against Defendant.
2. Defendant makes this offer more than ten days prior to trial, of which no trial date has been established as of yet.

3. Defendant hereby offers to allow entry of Judgment against them, jointly and severally, in the amount of \$30,000.00, inclusive of all penalties, interest, costs and attorney fees as more specifically set forth below.
4. Defendant's offer is unconditional and is made to fully and finally resolve all claims asserted against it in this action.
5. Plaintiff agrees to pay all costs and attorney fees accrued in this action on his behalf to date out of the proceeds listed in paragraph 3 above.
6. This Offer of Judgment is made for the purposes specified in Federal Rule of Civil Procedure 68, and is not to be construed as either an admission that Defendant is liable in this action, or that Plaintiff has suffered any damages.
7. Defendant's Offer of Judgment shall remain open and irrevocable for ten (10) days after service on August 8, 2023, and shall not be filed with the Court unless (a) accepted or (b) in a proceeding to determine costs.
8. If Plaintiff does not accept this offer in writing within ten (10) days after service, then Defendant's offer shall be deemed withdrawn in accordance with Federal Rule of Civil Procedure 68(b).
9. Upon payment of the amounts listed in paragraph 3, Plaintiff shall file the appropriate Satisfaction of Judgment with the Court, and Dismiss the pending action with prejudice.

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Dated: October 4, 2023

HOROWITZ LAW GROUP, LLC

Attorneys for Defendant

By: s/Steven B. Horowitz

Steven B. Horowitz, Esq.

49 ROUTE 202

PO BOX 13

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shorowitz@horowitzlawgroup.com

Certificate of Service

The undersigned hereby certifies that a true and correct copy of the foregoing was served on October 4, 2023, 2023 on Abdul K. Hassan, Esq., via email/ECF and US Mail .

/s/Steven B. Horowitz

Steven B. Horowitz, Esq.